



General Assembly

Substitute Bill No. 484

February Session, 2002

***AN ACT CONCERNING INTERNET PRIVACY AND UNSOLICITED
ELECTRONIC MAIL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) No provider of
2 Internet services shall record the Internet sites accessed by an
3 individual customer.

4 (b) The Attorney General may bring an action in the Superior Court
5 against a provider of Internet Services that violates the provisions of
6 this section and may recover a civil penalty of not more than two
7 hundred dollars per violation.

8 Sec. 2. Section 52-570c of the general statutes is repealed and the
9 following is substituted in lieu thereof (*Effective October 1, 2002*):

10 (a) No person shall use a machine that electronically transmits
11 facsimiles through connection with a telephone network or a device
12 that automatically transmits a recorded telephone message to transmit
13 unsolicited advertising material or an unsolicited telephone message
14 which offers to sell goods or services.

15 **(b) (1) No person shall send by electronic mail, or cause to be sent by**
16 **electronic mail, documents consisting of unsolicited advertising**
17 **material unless: (A) Such person identifies in the electronic mail a toll-**
18 **free telephone number or a valid return electronic mail address that**

19 the recipient of the unsolicited documents may use to notify the sender
20 to not send any further unsolicited electronic mail, and (B) the subject
21 line of the electronic mail identifies the document as an advertisement.

22 (2) Notwithstanding the provisions of subdivision (1) of this section,
23 no person shall send by electronic mail, or cause to be sent by
24 electronic mail, documents consisting of unsolicited advertising
25 material upon notification by a recipient of his or her request to not
26 receive any further such documents.

27 (3) For purposes of this subsection, "person" does not mean an
28 electronic mail service provider, as defined in section 53-451.

29 [(b)] (c) Any person aggrieved by a violation of the provisions of
30 [subsection (a) of] this section may bring a civil action in the Superior
31 Court to enjoin further violations and to recover the actual damages
32 sustained by reason of such violation, together with costs and a
33 reasonable attorney's fee, or two hundred dollars, whichever is greater.
34 No such action shall be brought but within two years from the date of
35 the act complained of.

This act shall take effect as follows:	
Section 1	October 1, 2002
Sec. 2	October 1, 2002

ET *Joint Favorable Subst. C/R*

JUD